

Randolph Zoning Board of Appeals

December 21, 2016

ZBA11-2016

Jean and Editha Marius

20 Tucker Terrace

Randolph, MA 02368

20 Tucker Terrace #2

Hearing Minutes

Attendance:

Arnie Rosenthal, Al Costa, Chris Spears, Kevin O'Connell, Sean Fontes, Alternate Charles Gordon, and Building Commissioner Ron Lum.

Owner/Petitioner:

Mr. Jean Marius and Mrs. Editha Marius

Representative/Surveyor:

Mr. Mark Whelan Surveyor.

Presentation:

In August we came before the ZBA and was granted an Impervious Lot Coverage Variance (ZBA08-2016)(200-34 25% to 38%, 34% existing)for a 21'X21' Addition to the existing residence. The addition was to be attached in the middle of the rear of the residence.

The owners, after consulting with building contractors, have decided to move the proposed addition the align with the Northern side of the residence. Doing this would cause a side line setback issue. We ask the board to grant us a side line setback of no less than 7' from 15' under 200-29A.

Public Portion:

In Favor:

None

Apposed:

Mr. Milch, 18 Tucker Terrace. Concerned about people coming and going during all hours in to the basement. He also would like to know if there is going to be a door leading outside?

Mr. Lum – Asked a few questions regarding the Impervious Surface. He looked on Google Earth and they had no blacktop at the rear of the house. Mr. Marius agreed.

Mr. Lum – The egress from the building would be decided when the building plans are received. Most likely it will be a large enough window.

Mr. Lum – What is the use of the addition? Mr. Marius said it was going to be a bedroom for one of his two sons coming home from college. He is also going to at some point enlarge the Kitchen and have a larger closet for his wife.

Mr. Lum – There will be no business use in the addition? Mr. Marius – No.

Mr. Lum – This is a residential area, there will be no In-Law or Kitchen added to the new addition? Mr. Marius – No, just a bedroom.

Mr. Marius – I use part of the basement to record Priests that come by for their Sermons. Not all the time.

Mr. Lum – Home Occupations are permitted but shall not exceed 15% of the floor area of the primary structure.

Public Portion:

Closed:

Board Questions:

Kevin – Will there be a basement in the new addition? Mr. Marius – Not a full basement as of now. Depends on the cost of the addition.

Kevin – The addition is half the size of the existing house. There will be a Window not a Door leading from the addition? Mr. Marius – Yes.

Board Motions:

Under 200-29A – The board votes to grant the Variance from 15' to no less than 7'.

Motion by Sean Fontes and seconded by Al Costa.

All in Favor, None against.

Arnie – Yes

Chris – Yes

Kevin – Yes

Al – Yes

Sean – Yes

Motion under 200-34 Impervious Surface from 25% to 34% and this supersedes the action of the board in ZBA08-2016

Motion by Sean Fontes and seconded by Chris Spears.

All in Favor, None against.

Arnie – Yes

Chris – Yes

Kevin – Yes

Al – Yes

Sean – Yes

Variance Finding:

permit granting authority specifically finds that owing to circumstances relating to the soil conditions, shape, or topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located, a literal enforcement of the provisions of the ordinance or bylaw would involve substantial hardship, financial or otherwise, to the petitioner or appellant, and that desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of such ordinance or by-law.

Chairman Rosenthal read the Appeal process from 40A Section 17.

Chairman closed the public hearing at 7:45PM

Filed with the Town Clerk.

Date: _____

John Hill Clerk/Secretary